

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
JHONATAN MARTINEZ ALFONSO,

Plaintiff,

-v-

384 3RD AVE REST LLC and KEVIN DOHERTY,

Defendants.

CIVIL ACTION NO.: 21 Civ. 5316 (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

The parties in this wage-and-hour case under the Fair Labor Standards Act (“FLSA”) have requested approval of their settlement agreement. (ECF No. 28). In its review of these materials, the Court has identified several issues, and orders as follows:

1. The settlement agreement, confession of judgment, and stipulation of dismissal that the parties submitted are not signed. Accordingly, by **July 29, 2022**, the parties shall submit signed copies of the settlement agreement (the “Signed Settlement Agreement”) and stipulation of dismissal, and either a signed confession of judgment or confirmation that the confession of judgment has been signed.
2. Plaintiff’s Complaint indicates that his primary language is Spanish. (ECF No. 1 ¶ 71). The parties have not indicated, however, whether the settlement agreement was translated into Spanish for Plaintiff. Accordingly, by **July 29, 2022**, the parties shall file a letter confirming that the agreement was translated for the Plaintiff; and
3. The settlement agreement provides that Plaintiff’s counsel will receive one-third of the settlement amount less expenses, pursuant “a retainer agreement that is reduced

to writing and is signed by" Plaintiff. (ECF No. 28 at 5). The parties have not, however, submitted a copy of the retainer agreement. Accordingly, by **July 29, 2022**, the parties shall file a copy of the retainer agreement.

Dated: New York, New York  
July 15, 2022

SO ORDERED.

  
SARAH L. CAVE  
United States Magistrate Judge